



Atty Dkt APF32
7011-0032
PATENT

RECEIVED
SEP 04 2001
TECH CENTER 1600/2900
9-401

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 28 August 2001.

8/28/01
Date

Susan LaMont
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

MACKLIN and FULLER

Serial No.: 09/501,328

Group Art Unit: 1645

Filing Date: February 9, 2000

Examiner: Rodney P. Swartz

Title: MYCOBACTERIUM TUBERCULOSIS IMMUNIZATION

RESPONSE TO REQUIREMENT FOR RESTRICTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Restriction Requirement dated June 28, 2001. Submitted herewith is a petition for a one-month extension of time, making a response due on or before August, 28, 2001. Accordingly, this response is timely filed.

The Examiner has required election of one of the following groups of claims:

Group I. Claims 1-6, drawn to DNA and vector;

Group II. Claims 7-49, drawn to method of immunizing; and

Group III. Claims 50-55, drawn to gene therapy.

Applicants hereby elect to prosecute the claims of Group II, claims 7-49, without traverse. Applicants expressly reserve their right under 35 U.S.C.

§121 to file one or more divisional applications directed to the nonelected subject matter during the pendency of this application.

Respectfully submitted,

Date: Aug 28, 2007

By: Dahna S. Pasternak
Dahna S. Pasternak
Registration No. 41,411

ROBINS & PASTERNAK LLP
90 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 325-7812
Fax: (650) 325-7823